

1 Plaintiff, the United States of America, acting upon notification and
2 authorization to the Attorney General by the Federal Trade Commission (“FTC”),
3 pursuant to Section 16(a)(1) of the FTC Act, 15 U.S.C. § 56(a)(1), for its
4 Complaint alleges:

5 1. Plaintiff brings this action under Sections 5(a)(1), 5(m)(1)(A), 12,
6 13(b), and 16(a)(1) of the Federal Trade Commission Act (“FTC Act”), 15
7 U.S.C. §§ 45(a)(1), 45(m)(1)(A), 52, 53(b), and 56(a)(1), and Section 1401 of the
8 COVID-19 Consumer Protection Act of the 2021 Consolidated Appropriations Act
9 (“CCPA”), Pub. L. No. 116-260, § 1401, 134 Stat. 1182, 3275-76 (2020), which
10 authorize Plaintiff to seek, and the Court to order, permanent injunctive relief, civil
11 penalties, and other relief for Defendant’s acts or practices in violation of Sections
12 5(a) and 12 of the FTC Act, 15 U.S.C. §§ 45(a) and 52, and Section 1401 of the
13 CCPA.

14 **JURISDICTION AND VENUE**

15 2. This Court has subject matter jurisdiction pursuant to 28 U.S.C.
16 §§ 1331, 1337(a), 1345, and 1355.

17 3. Venue is proper in this District under 28 U.S.C. § 1391(b)(1), (b)(2),
18 (c)(1), and 15 U.S.C. § 53(b).

19 **DEFENDANT**

20 4. Defendant Dr. Tina Wong, M.D. (“Defendant”) is a pediatrician and a
21 distributor for doTERRA International, LLC (“doTERRA”), a Utah-based multi-
22 level marketing company that sells essential oils, supplements, and other products.
23 Defendant holds the rank of Blue Diamond with doTERRA and is also a member
24 of the doTERRA US Founders Club 2.0. Defendant shares her doTERRA
25 distributorship with her husband, Dr. Mark Wong. Defendant resides in this district,
26 and, in connection with the matters alleged herein, transacts or has transacted
27 business in this District and throughout the United States.

COMMERCE

5. At all times relevant to this Complaint, Defendant has maintained a substantial course of trade in or affecting commerce, as “commerce” is defined in Section 4 of the FTC Act, 15 U.S.C. § 44.

DEFENDANT'S BUSINESS ACTIVITIES

6. Defendant promotes doTERRA products and business opportunities through numerous means, including through her website, social media accounts, and online webinars. Defendant has represented that certain doTERRA essential oil and supplement products (“doTERRA Products”) are effective in preventing and treating Coronavirus Disease 2019 (“COVID-19”).

7. Defendant was one of several presenters at a January 12, 2022 Zoom webinar titled “The Path Forward: Protocols for the Current Climate” that included approximately 500 participants. The webinar was organized and promoted by doTERRA distributors who currently or previously worked as health-care practitioners, and the registration link for the webinar was distributed on publicly accessible social media accounts. During this webinar, Defendant introduced herself as a board-certified pediatrician and made the following statements:

- a) "Now we're going to go into our first topic, which is COVID prevention basics and it really encompasses nutrition. That is the foundation of your health. And LLV [Lifelong Vitality Pack] from doTERRA is amazing. It provides 12 servings of fruits and vegetables a day. It's totally antioxidant. It is comprehensive and bioavailable, meaning that your body absorbs it well. And so those three bottles are foundational.

And then on top of that, we recommend the PB Assist for gut health and then the TerraZyme also for gut health because gut is

1 so important. Much of your immune system is located in your
2 gut.

3
4 And on top of that, On Guard, of course, in fact, everybody
5 please find your favorite immune oil that you have around and
6 use it. Use it frequently. Use it all three ways. So my favorites
7 are On Guard and oregano, actually, and I will put a drop of
8 each into a little shot glass of water if I have any sore throat and
9 I will gargle and I will swallow and that takes care of so much
10 of the beginning of a sore throat.

11
12 And what's great about this Healthy Habits Kit is On Guard is
13 in there. Oregano isn't, you can add it. But in addition to that,
14 you have frankincense, which is highly anti-inflammatory and
15 so good for your immune system. And the other thing that I
16 love is the On Guard Chewables because that has extra vitamin
17 C and D on top of what you would get through the LLV and it
18 has zinc and beta glucan as well."

19
20 [Defendant made these statements as a slide titled "COVID
21 PREVENTION BASICS" was displayed. The slide included a
22 depiction of the doTERRA Healthy Habits Kit and listed the
23 \$195 price. The Kit includes doTERRA Balance, tangerine,
24 lavender, frankincense, and On Guard oils; Deep Blue Rub;
25 DigestZen TerraZyme; PB Assist+; Microplex VMz; xEO
26 Mega; and Alpha CRS+.]

27 b) "And so this is the pediatric prevention/support for COVID.
28 And, again, it starts at nutrition. And I like this slide because

1 this is the order in which you want to give these supplements
2 because they progressively taste better. And if you know kids,
3 right, it's all about the taste, okay? So first, the IOmega can
4 taste a little fishy, so, so good for the immune system, though,
5 and good for the brain. I mix it with orange juice. My kids don't
6 get juice usually, so when they get something with juice, they're
7 like excited and it tastes good. So I mix it with orange juice, a
8 teaspoon. And then do that twice a day. The A to Z Chewables
9 are great. Two a day is the recommended dose.

10
11 And then the On Guard Chewable Tablets, it's recommended
12 dose three a day. But if your child has COVID, definitely six a
13 day is the way that I would go. And then PB Assist is amazing.
14 It tastes like candy, right? But it has no sugar in it. And that is a
15 great one to take a lot of because you really want good immune
16 health, even up to four a day is what I would recommend.

17
18 Now, Immune Honey is awesome for kids, but we don't want to
19 use any honey for a child that is less than one because of the
20 risk for botulism. So for that child, if you want to help with the
21 cough, then you would make a molasses. So for greater than
22 one year of age, I do give essential oils to my kids, just a little
23 bit, though. And the safest ones, I would have to say, are
24 frankincense and lemon. And also for sinus cups, frankincense
25 and lemon are great because sometimes the Breathe oil is just a
26 little too strong, that menthol component is a little too strong
27 for them. So frankincense and lemon are great for respiratory

1 oils. You can mix it with coconut oil, rub it on the chest, rub it
2 on the spine, on the feet, diffuse it as well. It's very effective.
3

4 And something that I love to do for kids instead of giving
5 pharmaceuticals or over-the-counters for congestion is I love to
6 give them baths, even like several a day, even three a day, and
7 just warm baths helps to decrease the congestion, and then
8 when they come out of the bath, their pores are opened up, the
9 perfect time to do a diluted essential oil, like frankincense or
10 lemon on their skin and the body absorbs it very well."

11

12 [Defendant made these statements as a slide titled
13 “PEDIATRIC PREVENTION/SUPPORT BASICS” was
14 displayed. The slide included depictions of and prices for
15 various doTERRA Products, including A-Z Chewables, IQ
16 Mega, On Guard Chewables, PB Assist Jr, frankincense oil, and
17 lemon oil.]

18 c) “Okay, yes, and then the SOC [Symphony of the Cells] for kids
19 is awesome and it's such a wonderful way to bond with them,
20 too. And just the really simple basic one will do, frankincense,
21 tea tree, Aromatouch and peppermint. Remember always to
22 dilute, though, because the peppermint can be a little bit strong.

23

24 And we didn't mention allowing your child to have a little bit of
25 a fever to burn out the virus. You can do that unless they have a
26 risk for febrile seizures, and in that case, you don't want to risk
27 that. But peppermint is a great oil for reducing fever. And
28 actually, the Japanese peppermint that you can get free this

1 month has a higher menthol content. So that will work even
2 faster.”
3

4 [Defendant made these statements as a slide titled “SUPPORT
5 PROTOCOLS FOR COVID (+) PEDIATRIC, SUPPORT
6 THERAPIES” was displayed. This slide included the text,
7 “INFLAMMATORY PROTOCOL POST BATH:
8 FRANKINCENSE, TEA TREE, AROMATOUCH,
9 PEPPERMINT, COCONUT OIL.”]
10

11 d) “Oils for a severe sore throat? I like to do a little shot glass of
12 water with a drop of On Guard and gargle and swallow that
13 about three or four times a day. That usually takes care of my
14 sore throat. And if you’re brave, you can actually add a drop of
15 oregano and that works really well, too. And there’s lots of
16 studies that show that oregano is effective against a
17 coronavirus, which is the family that COVID is in.

18 The other thing is you can suck on the On Guard lozenges all
19 day long. That really helps, too. Okay. And as Dr. Lisa
20 mentioned, this is really like a sinus type virus. So doing a lot
21 of the diffusing, the sinus mugs really are helpful. Putting
22 actually DigestZen over your sinuses is very helpful as well.
23

24 ... So those are just some little tips. Of course, it’s
25 symptomatic; you’re treating your symptoms, but that’s what
26 the drugs do, too. So use your oils instead and then use them
27 frequently. You also get the immune benefits of it. You’ll have
28 side benefits.”

1 8. Defendant has presented at a weekly Zoom webinar series that
2 promotes doTERRA Products, titled “The Doctors Are In.” The webinar has been
3 promoted on publicly accessible social media sites as an opportunity to: “Learn
4 about essential oils from medical & dental professionals. Ask your essential oil
5 questions & inquire about the ailments you have.” During the January 27, 2022
6 “The Doctors Are In” webinar, Defendant introduced herself as a board-certified
7 pediatrician and made the following statements:

8 a) “The second cool thing about essential oils is that they are
9 effective. So if you can imagine, those of you who see me on
10 the screen, like this hand is a cell, okay? Every cell has a
11 protective oily membrane that keeps out bacteria, keeps out
12 diseases. And what happens is there’s another disease that
13 actually works inside the cell and that’s the virus, like the
14 COVID virus. It attaches to our cell and it works inside of our
15 cell, okay?

16
17 Most antibiotics, which is what we give for bacterial diseases,
18 the antibiotics work outside the cell. They can’t go into the cell,
19 okay? But essential oils can penetrate through the cell
20 membrane and work within the cell to kill viruses or to change
21 their modulation, the way that they’re expressed. So essential
22 oils are very effective because they can get into a cell. On
23 Guard, in particular, is a great oil for this time because it really
24 helps with antivirus. It’s a great flu buster.”

25 b) “This is a very complicated slide. I just want to say very
26 quickly that garlic, black pepper oil and tea tree oil actually
27 prevent the binding of the virus to your cells. It’s a competitive
28 inhibition at the cell receptor site of the spike protein. So

1 basically what I'm saying is that when you use those three oils,
2 garlic, peppermint – I mean, black pepper or tea tree, it acts like
3 a guard dog at the surface of your cell. It prevents the virus
4 from binding. And then the other two essential oils I wanted to
5 talk about in the study are lemon and geranium. Remember,
6 where did I say the essential oils work in our cells? Where?...

7
8 Inside of the cell, right. And one of the ways that lemon and
9 geranium essential oil work inside the cell is that they don't let
10 the virus replicate itself. Pretty cool, right? You've all heard
11 about like mRNA with the shot and everything. Well, lemon
12 and geranium essential oil inhibit the mRNA transcription of
13 the virus.”

14
15 [Defendant made these statements as a slide with a diagram that
16 included a depiction of a virus clearly labeled “SARS-CoV-2”
17 was displayed. This slide included the text: “Several plant
18 products have shown potential in interfering with the activity of
19 ACE2.... For example, the essential oils from... garlic...,
20 Melaleuca...[,] pepper... can potentially latch onto ACE2 and
21 competitively inhibit viral binding and entry... essential oils
22 from geranium and lemon prove to be effective against ACE2
23 by downregulating its mRNA and protein expressions in
24 epithelial cells.”]

25 c) “And then a lot of people lose their sense of smell and taste
26 with the COVID and so here is a protocol to help regain that.
27 You smell clove essential oil three times a day, 20 seconds each
28 time; lemon and then rose and then eucalyptus in that order and

1 20 seconds each. Do that three times a day, and in 6 to 12
2 weeks, you should be able to regain your taste – sense of taste
3 and smell.”

4

5 [Defendant made these statements as a slide titled “Olfactory
6 Training FOR LOSS OF SMELL” was displayed. This slide
7 included depictions of several different doTERRA essential oil
8 products and included the text: “Pick 4 oils of contrasting
9 aroma... Smell each one for 20 seconds 3 times a day... Do this
10 for 6-12 weeks... Olfactory cells regenerate every 30 days so
11 give your body time... Loss of taste, brush with cilantro oil
12 twice a day.”]

13 d) “So if you want to take a picture of this, you can. It’s a protocol
14 that we made using the doTERRA products for COVID.
15 Okay?”

16

17 [Defendant made these statements as a slide titled “Tips for
18 COVID Prevention” was displayed. This slide included the text:
19

20 “1. Take LLV full dose (4 per bottle, divided into AM and
21 PM)...
22 2. Diffuse On Guard at night and rub on feet...
23 3. Apply 2-3 times/day On Guard or FLOOR over neck and
24 wrists
25 4. Apply Correct X inside nose....
26 6. Keep gut healthy – probiotics enzymes (Terrazyme),
27 doterra [sic] Greens with the superfoods (moringa, noni, acai,
28 kale, alfalfa, wheat grass, and more!), and doterra fiber...

1 7. Get your vaccine – initial and booster. Full immunity
2 reached 2 weeks from second dose.
3 ○ Take your LLV, on guard oil, lemon & other citrus
4 essential oils (increases glutathione) throughout the pre-
5 and post-vaccine period.
6 ○ Oils to use for vaccine detox – cilantro oil in tea 2-3
7 times a day. Rub zendocrine essential oil on feet and over
8 liver. Take LLV and take zendocrine complex and/or
9 zendocrine softgels 3 times daily for 2 weeks after shot.”]
10 e) “And then here’s another picture if you want to take that so in
11 the case that you do get it. Thankfully, omicron seems to be a
12 little lighter of a strain, but you want to have your oils with you,
13 you want to do early treatment because I do know quite a few
14 deaths and I could have... them just – I haven’t treated COVID
15 patients myself in the hospital. I mean, I’ve done it as an
16 outpatient, but there have – I mean, it’s a serious thing.

17
18 So if you’re not feeling well, you do need to get treatment. And
19 then I would recommend highly that if you are positive or feel
20 like you are, just do a ton of supplements, a ton of oils, and all
21 the things that we’ve done here, twice a day. Showers,
22 hydrotherapy. You want to be smelling the oils, drinking them,
23 putting them on your skin, eating super healthy.”

24
25 [Defendant made these statements as a slide titled “Tips for
26 COVID Recovery” was displayed. This slide included the text:
27 “Double LLV (8 per bottle, divided into AM and PM). Consider
28 taking Turmeric also.... Diffuse On Guard at night and rub on

1 feet... Every 15 minutes – Apply On guard or FLOOR or
 2 Nuclear Bomb over neck and wrists... Hot steamy showers
 3 twice a day. Breath or Eucalyptus oil in shower. Inhale
 4 deeply...”]

5 9. At present, there is no published report of any well-controlled human
 6 clinical study to substantiate that any of the doTERRA Products referenced above
 7 treat, prevent, reduce the risk or severity of, or cure COVID-19, or counteract
 8 inflammation or other purported negative effects of COVID-19 vaccines.

9 10. Based on the facts and violations of law alleged in this Complaint,
 10 Plaintiff has reason to believe that Defendant is violating or is about to violate the
 11 FTC Act and the CCPA.

12 **VIOLATIONS OF THE FTC ACT**

13 11. Section 5(a) of the FTC Act, 15 U.S.C. § 45(a), prohibits “unfair or
 14 deceptive acts or practices in or affecting commerce.”

15 12. Misrepresentations or deceptive omissions of material fact constitute
 16 deceptive acts or practices prohibited by Section 5(a) of the FTC Act.

17 13. Section 12 of the FTC Act, 15 U.S.C. § 52, prohibits the
 18 dissemination of any false advertisement in or affecting commerce for the purpose
 19 of inducing, or which is likely to induce, the purchase of food, drugs, devices,
 20 services, or cosmetics. For the purposes of Section 12 of the FTC Act, 15 U.S.C.
 21 § 52, doTERRA Products are “drugs” as defined in Section 15(c) of the FTC Act,
 22 15 U.S.C. § 55(c).

23 14. Enacted on December 27, 2020, the CCPA makes it unlawful, for the
 24 duration of the public health emergency declared on January 31, 2020 pursuant to
 25 Section 319 of the Public Health Service Act, for any person, partnership, or
 26 corporation to “engage in a deceptive act or practice in or affecting commerce in
 27 violation of Section 5(a) of the [FTC] Act (15 U.S.C. 45(a)) that is associated with
 28 . . . the treatment, cure, prevention, mitigation, or diagnosis of COVID 19.” CCPA

§ 1401(b)(1). As of the date of the filing of this Complaint, the public health emergency remains in effect.

3 15. The CCPA provides that “[a] violation of subsection (b) shall be
4 treated as a violation of a rule defining an unfair or deceptive act or practice
5 prescribed under Section 18(a)(1)(B) of the [FTC] Act (15 U.S.C. § 57a(a)(1)(B)).”
6 CCPA § 1401(c)(1).

7 16. Section 5(m)(1)(A) of the FTC Act, 15 U.S.C. § 45(m)(1)(A), as
8 modified by Section 4 of the Federal Civil Penalties Inflation Adjustment Act of
9 1990, 28 U.S.C. § 2461, as amended, and as implemented by 16 C.F.R. § 1.98(d),
10 authorizes this Court to award monetary civil penalties for each violation of
11 Section 5(a) of the FTC Act pursuant to the CCPA, 16 C.F.R. § 1.98(d).

COUNT ONE

13 17. In numerous instances in connection with the advertising, marketing,
14 promotion, offering for sale, or sale of doTERRA Products, including through the
15 means described in Paragraphs 6-8 of this Complaint, Defendant has represented,
16 directly or indirectly, expressly or by implication, that doTERRA Products:

- a) treat, prevent, reduce the risk or severity of, or cure COVID-19 in both adults and children; and
- b) counteract inflammation or other purported negative effects of COVID-19 vaccinations.

18. On or after December 27, 2020, Defendant made the representations
set forth in Paragraph 17, which are associated with the prevention, mitigation,
treatment, or cure of COVID-19.

19. The representations set forth in Paragraph 17 are false or misleading
or were not substantiated at the time the representations were made.

26 20. Therefore, the making of the representations set forth in Paragraph 17
27 of this Complaint constitutes a deceptive act or practice and the making of false

advertisements in violation of Sections 5(a) and 12 of the FTC Act, 15 U.S.C. §§ 45(a) and 52.

21. Defendant committed the violations set forth in Paragraph 20 with the knowledge required by Section 5(m)(1)(A) of the FTC Act, 15 U.S.C. § 45(m)(1)(A).

CONSUMER INJURY

22. Consumers are suffering, have suffered, and will continue to suffer substantial injury as a result of Defendant's violations of the FTC Act. Absent injunctive relief by this Court, Defendant is likely to continue to injure consumers and harm the public interest.

PRAYER FOR RELIEF

Wherefore, Plaintiff requests that the Court:

A. Enter a permanent injunction to prevent future violations of the FTC Act and the CCPA by Defendant;

B. Award Plaintiff monetary civil penalties from Defendant for every violation of Section 5(a) of the FTC Act pursuant to the CCPA; and

C. Award any additional relief as the Court determines to be just and proper.

1 Dated: January 5, 2023

2
3 FOR THE FEDERAL TRADE
4 COMMISSION:

5 ANISHA DASGUPTA
6 General Counsel

7 SERENA VISWANATHAN
8 Associate Director
9 Division of Advertising Practices

10 CHRISTINE LEE DELORME
11 TIFFANY M. WOO
12 Attorneys
Division of Advertising Practices

Respectfully submitted,

FOR THE UNITED STATES OF
AMERICA:

BRIAN M. BOYNTON
Principal Deputy Assistant Attorney
General, Civil Division

ARUN G. RAO
Deputy Assistant Attorney General,
Civil Division

AMANDA N. LISKAMM
Acting Director, Consumer Protection
Branch

GABRIEL H. SCANNAPIECO
Assistant Director, Consumer Protection
Branch

13 /s/ Christina Parascandola

14 CHRISTINA PARASCANDOLA
15 ZACHARY A. DIETERT
16 Trial Attorneys
17 Consumer Protection Branch
18 Civil Division
19 U.S. Department of Justice
20 450 5th Street, NW, Suite 6400-South
Washington, DC 20044-0386
21 Tel.: (202) 514-3097 (Parascandola)
(202)-616-9027 (Dietert)
22 Fax: (202) 514-8742
christina.parascandola@usdoj.gov
zachary.a.dietert@usdoj.gov